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EXAMINER	
LOPEZ, ELDRED ISAAC	
ART UNIT	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/545,213	MOSHAL, MARTIN	
	Examiner	Art Unit	
	ELDRED I. LOPEZ	4156	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *11 August 2005*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-62* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-62* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *11 August 2005* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *21 October 2005, 27 October 2005*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. Claim 1-10, 17-33, 49-62 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wells et al (U.S. 20040192442), and further in view of Lind et al (U.S. 20040152508). A multiplayer gaming system with a player station capable of playing a single player game and placing a wager on the outcome of the multiplayer game (Figure 1; Paragraphs 8, 48). Wells also discloses:

a gaming server communicable with each one of the plurality of player stations (Figure 1),

an administration facility operable to determine an outcome of the multiplayer game, the outcome being a favorable outcome if at least one player is determined by the administration facility as being a winner of the multiplayer game, an unfavorable outcome in which none of the participating players is determined as being a winner (Paragraph 8, 86).

However, Wells seems to lack disclosing a separate instance of a single player game.

3. Lind teaches a separate instance of a single player game (Paragraph 23). It would have been obvious to one of ordinary skill in the art to combine Wells and Lind. One would be motivated to do to provide better game play and excitement to the player. All the claimed elements were known in the prior art and one skilled in the art could have provided a method to present a display to the audience by known methods with no change in their respective functions, and the combination would have yielded predictable results.

4. Wells also discloses regarding claim 2, 24, 34 wherein a single turn of the multiplayer game comprises at least one turn of the single player game (Figure 1; Paragraphs 87, 88).

Regarding claim 3, 35, wherein the administration facility determines an outcome of the turn of the multiplayer game only after completion of the at least one turn of the single player game (Paragraph 86, 88).

Regarding claim 4, 27, 36, wherein the administration facility awards a prize to the at least one winning player when the outcome of the turn of the multiplayer game is favorable (Paragraph 7).

Regarding claims 9, 10, 20, 21, 25, 41- 43, 52-54, 59 wherein the single player game has a plurality of potential successful results, the plurality of successful results capable of being in ranked order, from least successful to most successful (payout, Paragraph 7).

Regarding claim 23, 55, wherein the single player game has a bonus result, the occurrence of the bonus result in any instance of the single player

game enabling any one of: (i) participation by the participating player in whose instance of the single player game the bonus result occurred, in the next turn of the multiplayer game without requiring a wager, (ii) payment by the operator of the multiplayer gaming system of a wager on behalf of the participating player in whose instance of the single player game the bonus result occurred, on the next turn of the multiplayer game, and (iii) an award of a monetary prize by the operator of the multiplayer gaming system to the participating player in whose instance of the single player game the bonus result occurred (Paragraph 200).

Regarding claim 26, 57, 58, wherein the administration facility accumulates, for each participating player, points associated with any successful result occurring in that player's game (Paragraph 267).

Regarding claim 29, 61, wherein the administration facility requires each participating player to decide, prior to commencement of each of the plurality of turns in the single player game, except the first, whether to continue with the multiplayer game by increasing that player's wager, or to withdraw from the turn of the multiplayer game (Paragraph 87).

Regarding claim 32, wherein the single player game is any one of video slots, video poker, or roulette (Paragraph 87),

5. Lind teaches: regarding claim 17, 49, wherein each player station displays the progress of each instance of the single player game played by a participating player (Paragraph 22), and regarding claim 18, 50, wherein the at least one turn of the single player game in each separate instance of the single player game comprising a single turn of the multiplayer game are played either sequentially or simultaneously (Paragraph 23). It would have been obvious to one of ordinary skill in the art to combine Wells and Lind. One would be motivated to do to provide better game play and excitement to the player. All the claimed elements were known in the prior art and one skilled in the art could have provided a method to present a display to the audience by known methods with no change in their respective functions, and the combination would have yielded predictable results.

6. Regarding claims 5-8, 19, 22, 28, 30, 31, 37- 39, 40, 51, 60, 62, Wells discloses a prize pool whose contents are a function of the outcomes of the single player game (Paragraph 267), but Wells seems to lack disclosing an accumulation account. However, Lind teaches an accumulation account (Paragraph 96, 98). It would have been obvious to one of ordinary skill in the art to combine Wells and Lind. One would be motivated to do to provide better game play and excitement to the player. All the claimed elements were known in the prior art and one skilled in the art could have provided a method to present a display to the audience by known methods with no change in their respective functions, and the combination would have yielded predictable results.

7. Claims 11-16, 44-48 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wells et al (U.S. 20040192442), Lind (U.S. 20040152508) and further in view of Ko (U.S. 20040256803). While Wells and Lind discloses those elements as claimed, and Lind additionally discloses a carry over of the contents of the accumulation account and where a tie is an unfavorable outcome (Paragraph 98), both Wells and Lind seem to lack disclosing a tie being a favorable outcome.

8. Ko teaches a tie being a favorable outcome (Paragraph 30). It would have been obvious to one of ordinary skill in the art to combine Wells, Lind and Ko. One would be motivated to do to provide better game play and excitement to the player. All the claimed elements were known in the prior art and one skilled in the art could have provided a method to present a display to the audience by known methods with no change in their respective functions, and the combination would have yielded predictable results.

Conclusion

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Nyugen et al (U.S. 20050043094), Schugar et al (U.S. 20040204213), Goldberg et al (U.S. 6264560).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ELDRED I. LOPEZ whose telephone number is (571)270-3771. The examiner can normally be reached on M-F 7:30-5 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Isabella can be reached on (571) 272-4749. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Eldred Lopez
Patent Examiner

/Dmitry Suhol/
Primary Examiner, Art Unit 3725